BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS MEETING

MINUTES

The Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on June 15, 2006, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Architects

John S. Clark, Jr.
J. Everette Fauber, III
Kenneth A. Schwartz

Land Surveyors

John R. McAden Nancy E. McIntyre W. R. Stephenson, Jr.

Landscape Architects

William H. Spell Vaughn B. Rinner

Professional Engineers

Nico De León Stanley C. Harris, Sr. Wiley V. Johnson, III

Interior Designers

Carole R. Renmark
Cameron C. Stiles

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
David Ashe, Chief Deputy

Karen W. O'Neal, Deputy Director of Licensing and Regulation Division (LRD)

Mark N. Courtney, Executive Director
Doug Schroder, Director of Adjudication
Earlyne Perkins, Legal Assistant
Michelle Gowen, Administrative Assistant

No representative from the Attorney General's Officer was present at the meeting.

Mr. Clark, Chair, called the meeting to order at 9:00 a.m.

Call to Order

Mr. Fauber moved to approve the agenda as amended. Mr. McAden seconded the motion which was unanimously approved by members: Clark, De Léon, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Approval of Agenda

Ms. Renmark moved to approve the minutes as amended for the following meetings:

Approval of Minutes

March 16, 2006, APELSCIDLA Board Meeting;

APELSCIDLA Board Meeting Minutes June 15, 2006 Page 2 of 10

- March 16, 2006, Informal Fact-Finding Conference (ARCH);
- May 3, 2006, Architects Section Meeting;
- May 10, 2006, Professional Engineers Section Meeting; and
- May 18, 2006, Interior Designers Section Meeting

Mr. Fauber seconded the motion which was unanimously approved by members: Clark, De Léon, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Public Comment Period – Duncan Abernathy, VSAIA, was present to address the Board in regards to a bill that has passed the House and the Senate for mandatory continuing education for architects, professional engineers, and land surveyors. Mr. Abernathy also spoke briefly to the Board in regards to IDP scholarships and Board authority over unlicensed activity.

Public Comment Period

Mr. Clark recused himself from the meeting and turned over the position of Chair to Ms. Rinner.

Transfer of Chair

Regarding File Number 2005-03617, Donald Stansell, the Board Members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the Summary of the Informal Fact-Finding Conference. Mr. Fauber moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's 2002 regulations: 18 VAC 10-20-750 (Count 1) and 18 VAC 10-20-740.B (Count 2). Mr. Spell seconded the motion which was unanimously approved by members: De León, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

File Number 2005-03617, Donald Stansell

After Ms. Perkins indicated that there have been no prior disciplinary action against Mr. Stansell, Mr. Fauber moved to accept the Summary of the Informal Fact-Finding Conference and impose the following sanctions:

\$250.00 for the violation contained in Count 1 and \$250.00 for the violation contained and Count 2 for a total monetary penalty of \$500.00. In addition, revocation of Mr. Stansell's license for the violations of Counts 1 and 2.

Mr. Spell seconded the motion which was unanimously approved by members: De León, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles. As the presiding Board member, Mr. Clark was not present during the discussion or vote.

Mr. Clark returned to the meeting and resumed the position of Chair.

Transfer of Chair

APELSCIDLA Board Meeting Minutes June 15, 2006 Page 3 of 10

Regarding File Number 2005-01875, Hal R. Sanders, the Board members reviewed the Consent Order as seen and agreed to by Mr. Sanders. Mr. Harris moved to accept the Consent Order which cites a violation of 18 VAC 10-20-750 of the Board's 2002 regulations. Mr. Sanders also agreed to the voluntary surrender of his professional engineers license. Mr. Johnson seconded the motion which was unanimously approved by members: Clark, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles. As the reviewing Board member, Mr. De León was not present during the discussion or vote.

File Number 2006-01875, Hal R. Sanders

Regarding File Number 2005-03965, Earl F. McKinney, the Board members reviewed the Consent Order as seen and agreed to by Mr. McKinney. Mr. Johnson moved to accept the Consent Order which cites a violation of 18 VAC 10-20-750 of the Board's 2002 regulations. For this violation, Mr. McKinney agreed to the voluntary surrender of his professional engineers license on or before June 30, 2006. Ms. Stiles seconded the motion which was unanimously approved by members: Clark, De León, Fauber, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles. As the reviewing Board member, Mr. Harris was not present during the discussion or vote.

File Number 2005-03965, Earl F. McKinney

Mr. Johnson and Ms. McIntyre disclosed that Bevin Alexander, Jr., one of the speakers during a prior Public Comment Period, is an attorney that represents the firm where they are employed. For this reason, Mr. Johnson and Ms. McIntyre felt it necessary to recuse themselves from the discussion of agenda item #10, Discussion of the Design of Residential On-Site Sewage Systems Using Pre-Engineered Components.

Discussion of Design
of Residential OnSite Sewage Systems
Using PreEngineered
Components

Mr. Fauber disclosed that he designed the building Mr. Alexander's firm currently owns. Mr. Fauber stated that there are no outstanding invoices or work orders and he believes he can be fair and impartial in the discussion and vote of agenda item #10, Discussion of the Design of Residential On-Site Sewage Systems Using Pre-Engineered Components.

After discussion, Mr. Schwartz made a motion to accept the Professional Engineer's Section recommendation that as GMP # 125 does not appear to comply with existing VDH regulations (VDH regulation 12 VAC 5-610-250.C contains a cap of 1000 GPD v. a cap of 1200 GPD contained in GMP #125; and § 32.1-163.5 of the Code of Virginia exempts pre-engineered sewage systems (treatment and dispersal) while GMP #125 permits non-professional engineers to design sewage systems using pre-engineered treatment systems and pre-engineered dispersal systems) and thereby allows non-professional engineers to design residential on-site sewage systems which should be designed by professional engineers. Mr. Schwartz further moved that the Department may wish to enter into a Memorandum of

APELSCIDLA Board Meeting Minutes June 15, 2006 Page 4 of 10

Understanding with VDH to assist them in the short-term to address the conflict and work with VDH to find a long-term solution to address the inconsistencies in VDH's regulatory program through the legislature in order to ensure that non-professional engineers are not permitted to practice engineering. Mr. Fauber seconded the motion which was approved by a majority vote by members: Clark, De León, Fauber, Harris, McAden, Rinner, Schwartz, Spell, Stephenson, and Stiles. Ms. Renmark abstained from the vote. Mr. Johnson and Ms. McIntyre did not participate in the discussion or vote.

The Board members reviewed a summary of the public comments regarding the proposed regulations as well as a draft Board response to each of the comments. After reviewing each of the comments and the draft Board response for each comment, Ms. Rinner moved to adopt the Board response as presented. Mr. Spell seconded the motion which was unanimously approved by members: Clark, De Léon, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Review Public
Comment and Adopt
Board Response

The Board members reviewed the draft final regulations. After review, Ms. Rinner moved to adopt the final regulations as amended. Ms. Rinner further moved to authorize staff, in conjunction with the Chair, to make any minor changes as necessary, on behalf of the Board, so that the regulations can be approved. Ms. Stiles seconded the motion which was unanimously approved by members: Clark, De Léon, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Consider Adoption of Final Regulations

After review of the proposed changes to sub-sections 4 and 5 of regulation 18 VAC 10-20-190 and sub-sections 3 and 4 of regulation 18 VAC 10-20-210 regarding degrees awarded based on "life experience," Mr. Harris moved to adopt the changes and authorize staff to file the adopted wording pursuant to the Fast Track Rulemaking Process. Mr. Harris further moved to authorize staff, in conjunction with the Chair, to make any minor changes as necessary, on behalf of the Board, so that the regulations can be approved. Mr. De León seconded the motion which was unanimously approved by members: Clark, De Léon, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Consideration of
Fast Track
Regulations Change
to 18 VAC 10-20-190
and 18 VAC 10-20210 - Degrees Based
on Life Experience

Mr. Courtney informed the Board members that the NCEES funded delegate from each state must have the authority to vote at the NCEES Annual Meeting and requested that they approve him to be an authorized, voting delegate. Mr. Spell moved to authorize Mr. Courtney to be the funded voting delegate. Mr. Harris seconded the motion which was unanimously approved by members: Clark, De León, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Discussion of NCEES Funded Delegate

The Board members were provided with a list of potential legislative ideas

Discussion of

for consideration by the Department for the 2007 Session of the General Assembly. The Board members performed a line-by-line review of the list. After discussion, Mr. Fauber moved for the Board to adopt the following items for consideration with the first item a priority:

Legislation

- 1. Authority over unlicensed practitioners similar to the provisions of HB 2843 from the 2005 General Assembly Session, which gave such authority to the Real Estate Board, with the following changes (i) amend to include authority over non-certified individuals using titles reserved for certified person, and (ii) increase the monetary penalty provision from \$1000 to \$2500;
- 2. Modify § 54.1-307.1.A to have the statute of limitations run three-years from the "date of discovery";
- 3. Amend § 54.1-411 to explicitly state that joint ventures are required to register with the Board;
- 4. Modify the third paragraph of § 54.1-414 to read as follows:

"The Board, in its discretion, shall determine whether an applicant's professional education and professional experience in the field of interior design are sufficient to establish eligibility for the examination certification."

5. Amend the definition of the "practice of land surveying" contained in § 54.1-400 as follows:

"The 'practice of land surveying' includes surveying of areas for a determination or correction, a description, the establishment or reestablishment of internal and external land boundaries, or the determination of topography, contours or location of physical improvements, and also includes or the planning of land and subdivisions thereof. The term "planning of land and subdivisions thereof" shall include, but not be limited to, the preparation of incidental plans and profiles for roads, streets and sidewalks, grading, drainage on the surface, culverts and erosion control measures, with reference to existing state or local standards."

6. Remove the specific entry requirements from § 54.1-414

regarding certified interior designers and provide the Board with the authority to establish such entry requirements in regulations;

- 7. Reduce the licensing exemptions (see attached which also includes some of the language relating to making consistent use of the term "professional engineer" and "engineering" in Chapter 4 of Title 54.1);
- 8. Make consistent use of the term "professional engineer" and "engineering" in Chapter 4 of Title 54.1;
- 9. Modify the definition "certified landscape architect" in § 54.1-400 to read "Certified landscape architect" or "landscape architect" means;
- 10. Modify § 13.1-553 (Professional Corporations) to correct an oversight regarding certified interior designers when this portion of the Code was amended to allow them to form PC's in 2000:

"§ 13.1-553. Board of directors.

"Except as provided in an agreement adopted pursuant to § 13.1-671.1 that is not in conflict with § 13.1-544, a professional corporation organized pursuant to the provisions of this chapter shall be governed by a board of directors, which shall have the full management of the business and affairs of the corporation and continuing exclusive authority to make management decisions on its behalf, and no shareholder shall have the power to bind the corporation within the scope of its business or profession merely by virtue of his being a shareholder. The articles of incorporation may prescribe the manner in which the board of directors shall be chosen and the number thereof, subject to the following provisions: a corporation rendering the services of architects, professional engineers, land surveyors and, certified landscape architects and certified interior designers, or any combination thereof, may elect to its board of directors not more than one-third of its members who are employees of the corporation and are not authorized to render the services of an architect, a professional engineer, land surveyor or certified landscape architect."

11. Amend § 54.1-404 as follows:

"§ 54.1-404. Regulations; code of professional practice and conduct.

"A. The Board shall promulgate regulations not inconsistent with this chapter governing its own organization, the professional qualifications of applicants, the requirements necessary for passing examinations in whole or in part, the proper conduct of its examinations, the implementation of exemptions from license requirements, and the proper discharge of its duties.

. . .

- "B. Notwithstanding the provisions of Chapter 40 of Title 2.2, as amended, in order to make a case decision regarding an individual applicant or regulant, a majority of the board members qualified to vote, and at least one member of the profession involved of those qualified to vote, must vote for the case decision. If no members of the profession involved are qualified to vote on the case decision, then only a majority of the board members qualified to vote shall be required."
- 12. Modify the first sentence of the second paragraph of § 54.1-409 to delete the list of professions and insert the word "anyone" in their place; and
- 13. Revise § 54.1-403 to eliminate the provision that requires CCVID input in the gubernatorial appointment of interior designer board appointments.

Mr. Spell seconded the motion which was unanimously approved by members: Clark, De León, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Mr. Fauber moved to nominate Vaughn Rinner as Chair, and Stanley Harris as Vice-Chair of the Board for the term beginning July 1, 2006, and ending June 30, 2007. Mr. Fauber further moved that in the event that Mr. Harris is not re-appointed as a Board member, Mr. DeLeón would assume the position as Vice-Chair. Ms. Stiles seconded the motion which was unanimously approved by members: Clark, De León, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Election of Officers

The Board members were provided with a comprehensive report of

Comprehensive

APELSCIDLA Board Meeting Minutes June 15, 2006 Page 8 of 10

enforcement activity since the last Board meeting.

Report of CID Activity

At 10:01 a.m., Mr. Schwartz moved that this meeting be recessed and that the public body immediately reconvene in closed meeting for the purpose of consultation with legal counsel and/or briefings by staff members pertaining to legal matters within the jurisdiction of the public body as permitted by § 2.2-3711.A.7 of the Code of Virginia. This motion was made with respect to the matter identified as agenda item: 18. Discussion of Missing NCEES Examination Booklets. The following non-members will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, David Ashe, Karen O'Neal, and Mark Courtney. Mr. Fauber seconded the motion which was unanimously approved by members: Clark, De Léon, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Closed Meeting

At 10:32 a.m., Ms. Stiles moved to recess the closed meeting and immediately reconvene in open meeting. Mr. Harris seconded the motion which was unanimously approved by members: Clark, De Léon, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Open Meeting

CERTIFICATION OF CLOSED MEETING

WHEREAS, the APELSCIDLA Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification of Closed Meeting

Whereas, § 2.2-3712 of the *Code of Virginia* requires a certification by this APELSCIDLA Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the APELSCIDLA Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matter as were identified in the motion convening the closed meeting were heard, discussed or considered by the APELSCIDLA Board.

VOTE:

AYES: Clark, De Léon, Fauber, Harris, Johnson, McAden,

McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson,

and Stiles.

NAYS: 0 ABSENT: 0 The Board members took a break from 10:34 a.m. to 10:44 a.m.

Break

Mr. Courtney explained to the Board members that the current one-year extension of the examination administration contract with PCS will be expiring soon and recommended that the Board approve another one-year extension of the contract. After discussion, Mr. Schwartz moved to approve the one-year extension of the contract contingent upon the vendor's continued cooperation with the Department regarding the NCEES matter. Mr. McAden seconded the motion which was unanimously approved by members: Clark, De León, Fauber, Harris, Johnson, McAden, McIntyre, Renmark, Rinner, Schwartz, Spell, Stephenson, and Stiles.

Request for PCS
Contract Extension

The Board members were provided with financial statements from April 2006 for informational purposes.

Review of Board Financial Statements

Mr. Courtney informed the Board member that there have been recent requests for an interpretation of § 54.1-402.1 of the *Code of Virginia*. After discussion and review of a memorandum from Mr. Courtney, the Board agreed to review this matter during their next series of meetings.

Other Business

Mr. Courtney informed the Board the Mr. Sirine was not selected to receive a NCEES award for 2006 but the Board could nominate Mr. Sirine again in 2007.

Mr. Courtney reminded the Board members that the meeting dates for 2007 will be set during their next meetings.

Ms. Courtney provided the Board members with a handout for informational purposes regarding a decision by a court regarding an appeal of a case decision.

Mr. Clark presented Louise Fontaine Ware with the resolution for service which was previously adopted at the Board meeting on March 16, 2006.

Presentation of Resolution

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 11:07 a.m.

Adjourn

John S. Clark, Jr., Chair

APELSCIDLA Board Meeting Minutes June 15, 2006 Page 10 of 10

Jay W Deboer, Secretary

TRANSACTIONAL DISCLOSURE STATEMENT for Officers and Employees of State Government

1. Name: J. Everette "Ebo" Fauber, III

2. Title: Member

3. Agency: APELSCIDLA Board

4. Transaction: Board Meeting on June 15, 2006

5. Nature of Personal Interest Affected by Transaction: I HAVE DOME

WORK FOR MPALEXANDER (ITEM 10) BUT HAVE NO CONFLICT.

- 6. I declare that:
 - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Date

6-15-6

1.	Name:	Carole Ridings Renmark			
2.	Title:	Member			
3.	Agency:	APELSCIDLA Board			
4.	Transaction:	Board Meeting on June	15, 2006	;	
5.	Nature of Per	sonal Interest Affected b	y Transac	tion:	Nove
6.	I declare that	:			
		ember of the following bu embers of which are affe	•		-
	(b) I am able the public int	// \	nsaction fa	airly, o	bjectively, and in
	(ares	Krumonh	6	15	06
	Signature		Date	3	

1.	Name:	Nico De León	
2.	Title:	Member	
3.	Agency:	APELSCIDLA Board	
4.	Transaction:	Board Meeting on June 15, 2006	
5.	Nature of Per	sonal Interest Affected by Transaction:	
		None	
6.	I declare that:		
		ember of the following business, profession, occupation or embers of which are affected by the transaction:	
	the public int	to participate in this transaction fairly, objectively, and in erest.	
	Signature	/ — Date '	

1.	Name:	Stanley C. Harris	
2.	Title:	Member	
3.	Agency:	APELSCIDLA Board	
4.	Transaction:	Board Meeting on June 15, 2006	
5.	Nature of Per	sonal Interest Affected by Transaction:	
	non	l.	
6.	I declare that: (a) I am a member of the following business, profession, occupation or		
	group, the members of which are affected by the transaction:		
	(b) I am able to participate in this transaction fairly, objectively, and in the public interest.		
	Signature	Date '	

1.	Name:	Nancy E. McIntyre	
2.	Title:	Member	
3.	Agency:	APELSCIDLA Board	
4.	Transaction:	Board Meeting on June 15, 2006	
5.	Nature of Pers	sonal Interest Affected by Transaction: <u>Item 10</u>	
6.	Atty Representing group ALSO REPRESENTS THE FIRM AT WHILA I WORK. I declare that:		
	group, the me	mber of the following business, profession, occupation or mbers of which are affected by the transaction: TYPYOTS TROFESSIONAL Engineers	
7		to participate in this transaction fairly, objectively, and in	

1.	Name:	W. R. Stephenson, Jr.
2.	Title:	Member
3.	Agency:	APELSCIDLA Board
4.	Transaction:	Board Meeting on June 15, 2006
5.	Nature of Per	sonal Interest Affected by Transaction:
6.	I declare that	:
		ember of the following business, profession, occupation or embers of which are affected by the transaction:
	(b) I am able the public int	to participate in this transaction fairly, objectively, and in erest.
	WZE	6-15-06
	Signature	Date

1.	Name:	William H. Spell	
2.	Title:	Member	
3.	Agency:	APELSCIDLA Board	
4.	Transaction:	Board Meeting on June 15, 2006	
5.	Nature of Per	sonal Interest Affected by Transaction:	
6.	l declare that:		
	(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:		
	(b) I am able the public into	to participate in this transaction fairly, objectively, and in erest.	

1.	Name:	Vaughn B. Rinner
2.	Title:	Member
3.	Agency:	APELSCIDLA Board
4.	Transaction:	Board Meeting on June 15, 2006
5.	Nature of Per	sonal Interest Affected by Transaction:
6.	I declare that	:
		ember of the following business, profession, occupation or embers of which are affected by the transaction:
	(b) I am able the public into	to participate in this transaction fairly, objectively, and in erest.
	Signature	Date / /

1.	Name:	Kenneth A. Schwartz
2.	Title:	Member
3.	Agency:	APELSCIDLA Board
4.	Transaction:	Board Meeting on June 15, 2006
5.	Nature of Per	sonal Interest Affected by Transaction:
		MUNE
6.	I declare that	•
		ember of the following business, profession, occupation or embers of which are affected by the transaction:
	(b) I am able the public into	to participate in this transaction fairly, objectively, and in erest. Date

1.	Name:	John S. Clark, Jr.		
2.	Title:	Member		
3.	Agency:	APELSCIDLA Board		
4.	Transaction:	Board Meeting on June 15, 2006		
5.	Nature of Per	sonal Interest Affected by Transaction:		
6.	I declare that:			
	(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:			
	(b) I am able the public into	to participate in this transaction fairly, objectively, and in erest. 6.15.06		
	Signature	Date		

1.	Name:	Cameron C. Stiles		
2.	Title:	Member		
3.	Agency:	APELSCIDLA Board		
4.	Transaction:	Board Meeting on June 15, 2006		
5.	Nature of Pers	sonal Interest Affected by Transaction:		
		· · · · · · · · · · · · · · · · · · ·		
6.	I declare that:			
9		ember of the following business, profession, occupation or embers of which are affected by the transaction:		
	(b) I am able to participate in this transaction fairly, objectively, and in the public interest. Signature Date			
_	-oignature	Date/		

1.	Name:	John R. McAden
2.	Title:	Member
3.	Agency:	APELSCIDLA Board
4.	Transaction:	Board Meeting on June 15, 2006
5.	Nature of Per	sonal Interest Affected by Transaction: Surreying
6. I declare that: (a) I am a member of the following business, profession, occupa group, the members of which are affected by the transaction: Land Surreyers		
	(b) I am able the public int	to participate in this transaction fairly, objectively, and in erest.
	John R. 7. Signature	Mc Aden 6-15-06 Date
- 1	Voignature	

1.	Name:	Wiley V. Johnson,	III
2.	Title:	Member	
3.	Agency:	APELSCIDLA Boar	d
4.	Transaction:	Board Meeting on	June 15, 2006
5.	Nature of Per todays again	sonal Interest Affection of the firm	ted by Transaction: Item 10 am represented by an attorney who where I am an owner.
6.	i declare that		
	group, the me		ng business, profession, occupation or affected by the transaction:
	(b) I am able the public int	• /1	s transaction fairly, objectively, and in
	lung	Vh	4.15.06
	Signature		Date